

17281 U.S.PTO  
120704

112 - 08 - 04

10/519515 PCT 4

DT01 Rec'd PCT/PTO 07 DEC 2004

NON-PROVISIONAL  
UTILITY PATENT APPLICATION  
TRANSMITTAL - 37 CFR 1.53(b)

[ ] Duplicate  
(check, if applicable)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket No.: 681132-2  
First Named Inventor: Kyl L. Smith  
Express Mail Label No.: EV 610007340 US  
Total Pages of Transmittal Form: 3

112941 U.S.PTO  
10/519515  
120704

Transmitted herewith for filing is the non-provisional utility patent application entitled:

COMPOSITIONS FOR IMPROVING MENTAL PERFORMANCE

which is:

- an [ ] Original; or  
a [X] Continuation, [ ] Divisional, or [ ] Continuation-in-part (CIP)  
of prior International Application No. PCT/US02/21062 filed July 3, 2002, which claims  
the benefit of U.S. Provisional Application No. 60/302,653, filed July 5, 2001.

Anticipated Group/Art Unit: or Class, Subclass .

- [ ] This non-provisional patent application is based on Provisional Patent Application No.  
\_\_\_\_\_, filed \_\_\_\_\_.

Enclosed are:

- [X] Specification (including Abstract) and claims: 35 pages.  
[ ] \_\_\_\_\_ sheets of drawings (formal).  
[ ] Application Data Sheet.  
[X] Newly unexecuted Declaration (original).  
[ ] Copy of Declaration from prior application.  
[ ] Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).  
[ ] Microfiche computer program (Appendix).  
[ ] Nucleotide and/or Amino Acid Sequence Submission, including:  
[ ] Computer readable copy [ ] Paper Copy [ ] Verified Statement.  
[ ] Under PTO-1595 Cover Sheet, an assignment of the invention  
[X] Name of Assignee: Vital Basics, Inc.  
[ ] Certified copy(ies) of Application No(s). \_\_\_\_\_ filed \_\_\_\_\_ is/are filed:  
[ ] herewith or [ ] in prior application \_\_\_\_\_.

RECEIVED  
DEC 15 2004  
DIRECTIONS

10/519515

DT01 Rec'd PCT/PTO 07 DEC 2004

- Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as [ ] an Independent Inventor, or  a Small Business Concern, or [ ] a Non-Profit Organization.
- [ ] Preliminary Amendment.
- [ ] Information Disclosure Statement, PTO/SB/08A, and cited references.
- [ ] Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- Other: Petition for Revival of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) as filed simultaneously herewith.

The filing fee is calculated as follows:

			SMALL ENTITY		LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE: \$395		BASIC FEE: \$790	
Total	14-20 =	0	X9	\$ 0	OR	X18 \$
Independent	3- 3=	0	X44	\$ 0	OR	X88 \$
[2] Multiple Dependent Claims Present			\$150	\$ 150	OR	\$300 \$
			<b>TOTAL</b>	<b>\$ 545</b>	OR	<b>TOTAL</b> \$

- [ ] The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts
- A check in the amount of **\$545.00** to cover the filing is enclosed.
- The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-1017 (Billing No. 681132.0002)** as noted below. A duplicate copy of this sheet is enclosed.
- Any overpayments or deficiencies in the above-calculated fee.
- [ ] Filing fee in the amount of \$ \_\_\_\_\_ as calculated above.
- Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

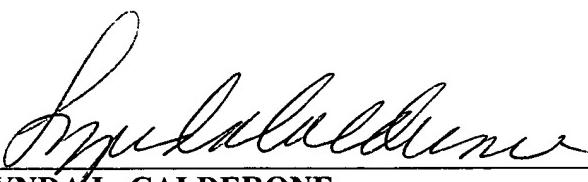
10/519515

DTG1 Rec'd PUT/PTR 07 DEC 2004

CORRESPONDENCE ADDRESS

12/7/04  
(Date)

By:

  
Lynda L. Calderone

**LYNDA L. CALDERONE**

Registration No. 35,837

**AKIN GUMP STRAUSS HAUER & FELD LLP**

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

**Direct Dial: 215-965-1272**

Facsimile: 215-965-1210

E-Mail: lcalderone@akingump.com

Customer Number or Bar Code Label: **000570**

LLC:llc

Enclosures

10/519515

DT01 Rec'd PCT/PTC 07 DEC 2004

The PTO did not receive the following  
listed item(s). No Post card